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09/889,137	07/12/2001	Andrew Robert Oakley	31229-173019	8041
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VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			EXAMINER PESIN, BORIS M	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/889,137	<b>Applicant(s)</b> OAKLEY ET AL.	
	<b>Examiner</b> Boris Pesin	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

This communication is responsive to the amendment filed 4/03/2003.

Claims 1-20 are pending in this application. Claims 1, 15, and 18 are independent claims. In the amendment filed 4/03/2007, claims 1, 2, 4, 8, 9, 11, 12, 13, and 15-18 were amended. This action is made Final.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-17, and 19-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "those signals" on Line 12. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether the Applicant is referring to the signals on line 6, 8 or 11.

Furthermore, claim 1 recites "in which" on line 4. It is unclear to what this is referring to.

Claim 15 recites the limitation "those signals" on Line 14. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether the Applicant is referring to the signals on line 7, 10 or 13.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

Art Unit: 2174

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Nakagawa (US 6683628).

In regards to claim 18, Nakagawa- teaches an interactive whiteboard device onto which an image is projected from the projector comprising a receiver portion for receiving signals from a pointing device (Figure 4, Elements 1 and 2), the device onto which an image is projected being operable to supply the received signals to a computing means (Figure 4, Element 1, the line from the screen to the computer) and being suitable for displaying an image from a computing means received by said device onto which an image is projected (Figure 4, Element 4 "Computer", 41, 42, 43, 44, and 45), said interactive whiteboard device onto which an image is projected forming a communication hub for an interactive display system (Figure 4, Element 2).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 4, 5, 7, 10, 13, 15, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 6683628) in view of Schindler (US 6065076).

In regards to claim 1, Nakagawa teaches an interactive whiteboard display system comprising a projector (Figure 4, Element 3), a device onto which an image is projected from the projector (Figure 4, Element 1), computing means (Figure 4, Element 4 "Computer"), a pointing device (Figure 4, Element 1), in which the computing means is arranged to supply image information to the device onto which an image is projected (Figure 4, Element 3); and in which the display device is a communications hub of the display system arranged to receive control signals from the pointing device and/or the plurality of remote signaling devices and arranged to transmit those signals to the computing means in order to control an image on the device onto which an image is projected (Figure 4, Element 4 "Computer", 41, 42, 43, 44, and 45).

Nakagawa does not teach a plurality of remote signaling devices in which the plurality of remote signaling device are operable to transmit signals to a receiver portion of the device onto which an image is projected, the device onto which an image is projected being arranged to supply the signals to the computing means, said signals

Art Unit: 2174

being stored by the computing means for display. Schindler teaches, "*Apparatus for controlling the material displayed on a personal computer home entertainment system, comprising: a plurality of remote control devices for providing command signals; a personal computer further comprising: a processor; a main memory; a bus connecting the processor to the main memory; a display adapter coupled to the bus; a display driven by the display adapter; a circuit coupled to the bus for receiving signals from the plurality of remote control devices and decoding the signals to determine the commands, including cursor control signals, wherein the processor receives the cursor control information from the cursor control device and controls the position of a cursor on the display*" (Claim 30). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa with the teachings of Schindler and include a plurality of remote control devices with the motivation to provide the user with a plurality of remote control devices with the motivation to provide the user with an easier method of controlling a cursor on the screen and to provide the user the ability to not stand right next to the screen as he would have to if he was only using a pointing device.

In regards to claim 4, Nakagawa-Schindler teaches an interactive display system, in which the plurality of remote signaling devices are remote control devices which are operable to transmit control signals to a receiver portion of the device onto which an image is projected, which control signals are supplied to the computing means and are operable to control the computing means and thus image information supplied to the device onto which an image is projected (Schindler Claim 30).

In regards to claim 5, Nakagawa-Schindler teaches an interactive display system, in which the display device includes position indication means for indicating the position of a pointing device relative to a surface of the display device. (i.e. Nakagawa Figure 6, Element 31).

In regards to claim 7, Nakagawa-Schindler teaches an interactive display system as claimed in claim 1, in which the pointing device is operable to induce image control signals in the position indication means, which image control signals are operable to control the computing means and thus image information is displayed on the device onto which an image is projected (Nakagawa Figure 4, Element 4 "Computer", 41, 42, 43, 44, and 45).

In regards to claim 10, Nakagawa-Schindler teaches an interactive display system, in which the device onto which an image is projected includes an output portion arranged to transmit signals from both the receiver portion and the position indication means to the computing means (Nakagawa Figure 4, Element 2, the receiver portion is the touch sensitive screen).

In regards to claim 13, Nakagawa-Schindler teaches an interactive display system, in which the plurality of remote control devices are operable to control the computing means in substantially the same manner as a keyboard and mouse combination (Nakagawa Figure 4, Elements 1 and 2 and Figure 11 and Column 4, Lines 26-34).

Claim 15 is similar in scope to claim 1; therefore it is rejected under similar rationale.

In regards to claim 17, Nakagawa-Schindler teaches a method, in which the signals from plurality of remote signaling devices are transmitted in response to information displayed on the device onto which an image is projected (Nakagawa Figure 4, Elements 1 and 2).

In regards to claim 19, Nakagawa-Schindler teaches a remote signaling device for use with the interactive display system (Nakagawa Figure 1A, Element 24).

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa-Schindler in view of Montlick (US 5561446).

In regards to claim 2, Nakagawa-Schindler teaches all the limitations of claim 1. Nakagawa-Schindler does not teach an interactive whiteboard display system in which the device onto which an image is projected uses a single communications link between it and the computing means, which link is arranged to convey signals both from the pointing device and the plurality of remote signaling devices, to enable a most efficient transfer of data. Montlick teaches, "One or more portable pen-based computers are provided with wireless communication capability for connecting with the central computer system through the wireless network." (Abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler with the teachings of Montlick and include a single communications link with the motivation to provide for greater portability.

In regards to claim 3, Nakagawa-Schindler and Montlick teach all the limitations of claim 2. Nakagawa-Schindler and Montlick further teach an interactive display



Art Unit: 2174

system in which the single link is a wireless connection ("One or more portable pen-based computers are provided with wireless communication capability for connecting with the central computer system through the wireless network." Montlick, Abstract).

Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa-Schindler in view of Zurstadt (US 5583323).

In regards to claim 6, Nakagawa-Schindler teaches all the limitations of claim 1. Nakagawa-Schindler does not specifically teach an interactive display system which is operable to calibrate the location of an image on the device onto which an image is projected relative to the device onto which an image is projected. Zurstadt teaches an interactive display system which is operable to calibrate the location of an image on the device onto which an image is projected relative to the device onto which an image is projected (See Abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler with the teachings of Zurstadt and include a calibration mechanism with the motivation to provide the user with a better and more accurate image projection.

Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa-Schindler in view of Geaghan et al. (US 5790114).

In regards to claim 8, Nakagawa-Schindler teaches all the limitations of claim 1. Nakagawa-Schindler does not teach an interactive display system, in which the pointing device is arranged to take precedence over the plurality of remote signaling devices.

Art Unit: 2174

Geaghan teaches, "Pen or Finger mode detects pen and finger contact, giving priority to pen contact when both are detected." Column 7, Line 15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler with the teachings of Geaghan and include a method of giving priority to the pointing device over another device with the motivation to provide for easy control of who gets to write on the screen at a given time.

In regards to claim 12, Nakagawa-Schindler teaches all the limitations of claim 1. Nakagawa-Schindler does not teach an interactive display system, in which the device onto which an image is projected requests information from each remote signaling device in turn, by polling. Geaghan teaches, "the driver employs polling rather than interrupts to determining if data is available at the serial port" Column 14, Line 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler with the teachings of Geaghan and include a method for polling devices in order to obtain data in a desired manner with the motivation to provide for an orderly and easy method of obtaining data.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa-Schindler in view of Krumholz (US 4538993).

In regards to claim 9, Nakagawa-Schindler teaches all the limitations of claim 1. Nakagawa-Schindler does not teach an interactive display system in which the pointing device is operable to selectively enable plurality of remote signaling devices. Krumholz teaches that, "interrupt row enable the teacher to cut off reception of particular student

computer outputs" Column 4, Line 11). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler with the teachings of Krumholz and include a method to enable remote signaling devices with the motivation to have easy control of who gets control of the screen at a given time.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa-Schindler in view of Hassan et al. (US 5689562).

In regards to claim 11, Nakagawa-Schindler teaches all the limitations of claim 1. Nakagawa-Schindler does not teach an interactive display system, in which the plurality of remote signaling devices are operable to transmit signals to the receiver portion only in response to a request signal from the device onto which an image is projected. Hassan teaches, "The image control unit 10 starts the image transmission process by sending an image data request to the image transmission unit 20." (Column 8, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler with the teachings of Hassan and system that transmits signals to the receiver portion only in response to a request with the motivation to provide for better control of signals passed around the system.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa-Schindler in view of Lin et al. (US 5528235).

In regards to claim 14, Nakagawa-Schindler teaches all the limitations of claim 1. Nakagawa-Schindler does not teach an interactive display system in which the system

comprises one master control device which is a remote control device or a pointing device, and a plurality of subsidiary remote signaling devices. Lin teaches, "the present invention can be used as a control keypad for a variety of household appliances such as master remote control device for integrated audio-video entertainment, microwave oven, security alarm panel and the like" Column 8, Line 27). It is inherent in Lin's invention that numerous other remote signaling devices are present but only one that controls all of the devices. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler with the teachings of Lin and include a master remote control with the motivation to provide for more control over the devices.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa-Schindler in view of Junod et al. (US 5854621).

In regards to claim 16, Nakagawa-Schindler teaches all the limitations of claim 15. Nakagawa-Schindler does not teach a method wherein the signals from the plurality of remote signaling devices are independent of the location of the remote signaling device relative to the device onto which an image is projected. Junod teaches, a wireless radio frequency ("RF") communications interface between peripherals and the host personal computer or workstation. In one embodiment, the present invention provides a wireless electronic mouse which uses an RF transmitter to transmit information unidirectionally to a receiver which is coupled to a host computer." (Abstract, Line 1). It is well known in the art that RF devices, such as taught by Junod, transmit their signals independently of their location relative to the display. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler with the teachings of Junod and include a device such as a RF wireless mouse, with the motivation to provide the user more flexibility in moving around the room and still being able to control what is on the screen.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa-Schindler in view of Montlick (US 5561446) in further view of Junod et al. (US 5854621).

In regards to claim 20, Nakagawa-Schindler and Montlick teach all the limitations of claim 3. Nakagawa-Schindler and Montlick do not specifically teach a display system wherein the wireless connection is one of infra red means or radio means. Junod teaches, a wireless radio frequency ("RF") communications interface between peripherals and the host personal computer or workstation. In one embodiment, the present invention provides a wireless electronic mouse which uses an RF transmitter to transmit information unidirectionally to a receiver which is coupled to a host computer." (Abstract, Line 1). It is well known in the art that RF devices, such as taught by Junod, transmit their signals independently of their location relative to the display. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakagawa-Schindler and Montlick with the teachings of Junod and include a device such as a RF wireless mouse, with the motivation to provide the user more flexibility in moving around the room and still being able to control what is on the screen.

***Response to Arguments***

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BP

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